

## **REMARKS**

This is intended as a full and complete response to the Final Office Action dated August 27, 2007, having a shortened statutory period for response set to expire on November 27, 2007. Applicants submit this response to place the application in condition for allowance or in better form for appeal. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-7, 18-21 and 30 are pending in the application. Claims 1-7, 18-21 and 30 remain pending following entry of this response. Claims 1 and 30 have been amended. Applicants submit that the amendments do not introduce new matter.

### Claim Rejections - 35 U.S.C. § 101

Claims 1-7 and 30 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Examiner states that "Claims 1 and 30 are not limited to a method that runs on a computer medium." Applicants have made amendments to both claims to limit them to a computer implemented method. Thus, Applicants submit that claims 1 and 30 and all its dependent claims are directed to statutory subject matter under 35 U.S.C. § 101. Accordingly, Applicants respectfully request that this rejection be withdrawn.

### Claim Rejections - 35 U.S.C. § 102

Claims 1-7, 18-21 and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by *Gupta et al.* (U.S. Patent No. 6,956,593, hereinafter, "*Gupta*").

Applicants respectfully traverse this rejection.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as

is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

In this case, *Gupta* does not disclose "each and every element as set forth in the claim." As a general matter, *Gupta* is directed to annotating multimedia content and querying such annotations on the multimedia content. Thus, *Gupta* is not directed to annotating the queries components, or even complete queries for that matter, as recited in the claims.

Regarding claim 1, for example, the preamble of the claim and the recited limitations specifically limit the claim to a method for annotating a query component, the query component being a component of a query. In contrast, *Gupta* is directed to annotating multimedia content and querying such annotations on the multimedia content. Furthermore, the Examiner relies on col. 2, lines 43-47, col. 12, lines 39-59, col. 15, lines 34-45 and col. 16, lines 19-42 of *Gupta* for teaching every elements of the claim, *Final Office Action*, p.3-4. Applicants respectfully disagree. For clarity, the cited passages are set forth here:

Col. 2, lines 43-47:

The user interface can be associated with selected ones of these different annotation sets, so that any newly created annotations automatically belong to that set, or annotation queries automatically query that set, without requiring the user to specify the set.

Col. 12, lines 39-59:

Selection of a connection button 260 causes ABE 151 of FIG. 3 to establish a connection with the annotation server identified by identifier 254. Selection of a query button 262 causes interface module 152 to open a "query" dialog box, from which a user can search for particular annotations. Selection of an add button 264 causes interface module 152 to open an "add new annotation" dialog box, from which a user can create a new annotation.

Selection of a show annotations button 266 causes interface module 152 to open a "view annotations" dialog box, from which a user can select particular annotations for presentation.

Col. 15, lines 34-45:

FIG. 11 shows another exemplary "add new annotation" dialog box 360. Dialog box 360 includes much of the same information and fields for an audio annotation as dialog box 280 of FIG. 7 and dialog box 340 of FIG. 9. However, the information and fields are arranged differently in dialog box 360. FIG. 12 shows a "query annotations" dialog box 370 that results from a user selecting query button 262 of FIG. 6. Many of the options and fields presented to the user in dialog box 370 are similar to those presented in the "add new annotation" dialog box 280 of FIG. 7, however, those in dialog box 370 are used as search criteria rather than data for a new annotation.

Col. 16, lines 19-42:

In the illustrated embodiment, the sets displayed as part of annotation set list 376 contain annotations which correspond to the target identifier in target display 372. However, in alternate embodiments the sets in list 376 need not necessarily contain annotations which correspond to the target identifier in target display 372. Interface module 152 allows a user to select different target streams during the querying process. Thus, a user may identify a first target stream and select one or more sets to query annotations from for the first target stream, and then identify a second target stream and select one or more sets to query annotations from for the second target stream.

Additional search criteria can also be input by the user. As illustrated, fields 382 and 384 allow a particular creation date and time identifier to be input along with a temporal relation (e.g., "after" or "before"). Similarly, a summary keyword search field 386 allows particular words, phrases, characters, graphics, etc. that must appear in the summary (or subject, title, annotation content, etc.) to be input. A maximum number of annotations to retrieve in response to the query can also be selected in maximum field 388. Furthermore, the query can be limited to only annotations

that correspond to the target identifier in target display 372  
by selecting check box 389.

The above cited passages of *Gupta* talk about that user interface can be associated with different annotation sets. Through the user interface, a new annotation can be created; query of the annotations can be conducted. They certainly do not teach “receiving a selection of the query component,” “receive an annotation and a request to associate the annotation with the selected query component,” and “storing, on a storage medium, the annotation with a reference to the selected query component” as recited in claim 1.

Regarding to claim 18, it has similar limitations in claim 1. It also has limitation “the selected query component being a component of a query” in the body. The Examiner also relies on the passages of *Gupta* quoted above for this teaching, *Final Office Action*, p.6. As we have discussed, the cited passages do not even mention component of a query, they certainly do not teach “the selected query component being a component of a query” as recited in claim 18.

Accordingly, Applicants submit claims 1 and 18 and their dependent claims are allowable and withdrawal of this rejection is respectfully requested. Claim 30 contains limitations similar to claim 1 and 18, and is allowable for at least the same reasons as stated above.

Therefore, the claims are believed to be allowable, and allowance of the claims is respectfully requested.

Conclusion

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

If the Examiner believes any issues remain that prevent this application from going to issue, the Examiner is strongly encouraged to contact Randol W. Read, Applicant's representative, at (713) 623-4844, to discuss strategies for moving prosecution forward toward allowance.

Respectfully submitted, and  
**S-signed pursuant to 37 CFR 1.4,**

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